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U.S. DISTRICT COURT

U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH -Central DIVISION

Felix Gonzalez

Plaintiff,

v.

Salt Lake City Corp.
P.O. Box 145464
SLC, Ut.
84114

Defendant(s).

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:
:
:
COMPLAINT

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Case: 2:24-cv-00321
Assigned To : Oberg, Daphne A.
Assign. Date : 05/06/2024
Description: Gonzalez v. Salt Lake City et al

A. JURISDICTION

This action is brought pursuant to Title VII of the Civil Rights Act of 1964 as amended, for employment discrimination. Jurisdiction is specifically conferred on this Court by 42 U.S.C. § 2000e(5). Equitable and other relief are also sought under 42 U.S.C. § 2000e(5)(g). Jurisdiction is also based on 28 U.S.C. §§ 1331, 1343 and 42 U.S.C. §§ 1981 et seq. Where employment discrimination based upon age is alleged, jurisdiction is conferred by 29 U.S.C. §§ 626(c)(1) and appropriate relief is also sought.

B. PARTIES

1. Name of plaintiff:
Present mailing address:

Felix Gonzalez
4323 W. Pheasant Glen Dr.
WVC, ut. 84120

2. Name of first defendant:
Present mailing address or
business location:

Salt Lake City, Corp.
Department of Airports
Maintenance Division
P.O. Box 145464
SLC, ut.
84114

3. Name of second defendant:
Present mailing address or
business location:

Dave Tingey (Dept. of Maintenance)
P.O. Box 145464
SLC, ut.
84114

4. Name of third defendant:
Present mailing address or
business location:

Lamar Stuart (Airport Maintenance)
P.O. Box 145464
SLC, ut.
84114

(Use additional sheets if necessary.)

C. NATURE OF CASE

1. The address at which I sought employment or was employed by the defendant(s) is:

Salt Lake City International Airport
W. Terminal Road
SLC, ut.
84122

2. The discriminatory acts occurred on or about:

4|14|2023, 0|25|2024
(Month, Day, Year)

3. I filed charges with the Anti Discrimination Division of the Utah State Industrial Commission regarding the defendant's discriminatory conduct on or about:

04|10|2023
(Month, Day, Year)

4. I filed charges with the Equal Employment Opportunity Commission regarding the defendant's discriminatory conduct on or about:

10/17/2023
(Month, Day, Year)

5. The Equal Employment Opportunity Commission sent the attached "Notice of Right to Sue" which I received on:

02/14/2024
(Month, Day, Year)

(Please attach the "Notice of Right to Sue" to this complaint.)

6. The discriminatory acts that are the basis of this suit are:

- a. _____ Failure to employ me
- b. _____ Failure to promote me
- c. _____ Termination of my employment
- d. _____ Demotion
- e. _____ Denied equal pay/work
- f. _____ Sexual harassment
- g. General harassment
- h. Other acts (Be specific: Attach an additional sheet if necessary)

On April 14, 2023 was given a written warning based on a Coach and Counsel of Feb. 27, 2023. I never had a Coach and Counsel on 02/27/2023.
On 01/25/2024 I took a required break and was told I couldn't take it at that time or location.

7. Defendant's conduct is discriminatory with respect to:

- a. my race
- b. _____ my color
- c. _____ my sex
- d. _____ my religion
- e. my national origin
- f. my age

8. I believe that the defendant is still committing these acts against me.

yes _____ no

D. CAUSE OF ACTION

1. I allege that the defendant has discriminated against me and that the following facts form the basis for my allegations:

- a. (1) Count I: On 01/25/2024 I took my legal break and was reprimanded by Dave Tingey for doing so.
- (2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly, in your own words without citing any legal authority. Use additional sheets if necessary.)

On 01/25/2024 I was called out on several airport operations and couldn't take my break until 1:00 pm. Dave Tingey told me I couldn't take it at that time or location.

- b. (1) Count II: On 04/14/2023 Given a written warning for taking a pre-approved time off.

- (2) Supporting Facts:

On Feb. 28, 2023 I ask, in writing, for 04/4/2023-04/05/2023. It was approved by Lamar Stuart.

On 04/14/2023 Lamar Stuart wrote me up for taking my approved time off. Was

told I had a Coach and Counsel on Feb. 27, 2023.

I never received a Coach and Counsel on 02/27, 2023

E. INJURY

1. How have you been injured by the actions of the defendant(s)?

I have been under constant stress at work and at home since 02/2023. I have had to watch my back every day I am work because I will reach full retirement eligibility Aug 22, 2024. Loss of employment would deny me all those years of retirement payments. also I was going to work past that date, but now I can't risk them retaliating against me so I am retiring as soon as I am eligible.

F. REQUEST FOR RELIEF

2. I believe I am entitled to the following relief:

~~Since I will not be working the extra years (up to 1/2 years more) at \$83,000 and for the 1/2 year and a half of harassment I am asking \$500,000 in damages. If I lost my retirement it would be \$1,000,000+~~

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C. § 1621.

Executed at May on 6 2024
(Location)

Elliott Cerven
Signature

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